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redacted and referred
to the Army Corp. of
Engineers

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referred to the Army
Corp. of Engineers

-----Original Message-----

From: Mike Claffey [<mailto:mclaffey@acsol.net>]

Sent: Friday, April 24, 2015 10:27 AM

To: Silver.Wendy@epamail.epa.gov; Fowler.Sarah@epamail.epa.gov; Sheata, Carrie A; Nall, Susan SPK; 'David Reed'

Cc: esa@claffeyecological.com; 'Gordon Reichard'

Subject: [EXTERNAL] FW: Lot 1003 Title Conveyance for SPK-2014-1067

Carrie and Wendy

See David Reed's email below in response to Wendy's question regarding the CD and management plan and as to whether it applies to Lott 1003. Please note the dates on David's email of April 14th, it was lost in my email shuffle between digital devices.

As to the management plan and the idea that alternatives need to be discussed prior to submitting a 404 permit, perhaps we could have a discussion of the alternatives analysis in EPA's office with the Corps on conference call, while the applicability of the management plan is being sorted out. I can be in Denver for this discussion at EPA's

office and feel that a meeting would allow us to provide a more detailed response to comments at the end of May. The meeting would apply to the 404 b 1 provided in the application and not the legal issues of the CD and the management plan. I do not think the management required a different type of alternatives analysis, but I am not as familiar with the plan as others. I could meet with Wendy, Sarah and whomever and Carrie could participate by phone. I would need to time trip this with other work in Summit County so let me know.

Or maybe EPA staff would be on route somewhere on the western slope and we could meet at another location.

Thanks

Michael Claffey

CLAFFEY ECOLOGICAL CONSULTING, INC.

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From: David Reed [<mailto:jdreed@jdreedlaw.com>]
Sent: Friday, April 24, 2015 10:07 AM
To: Mclaffey@acsol.net
Subject: FW: Lot 1003 Title Conveyance for SPK-2014-1067

Mike, is this what you are looking for?

David

From: David Reed [<mailto:jdreed@jdreedlaw.com>]
Sent: Tuesday, April 14, 2015 9:04 AM
To: 'Mike Claffey'; 'Kim Montgomery'
Subject: RE: Lot 1003 Title Conveyance for SPK-2014-1067

Mike, please pass this information along to Ms. Silver and whomever else you deem appropriate.

Mountain Village Metropolitan District (the "District") is unrelated to the Telluride Ski & Golf Company.

The District was organized in 1983 as a Title 32 Special District (a quasi-governmental entity) to provide water facilities, storm and sanitary sewage facilities, street improvements, drainage facilities, traffic and safety controls and devices, parks and recreational facilities, parking facilities, transportation facilities and mosquito elimination and control facilities.

The District was dissolved effective December 31, 2006, pursuant to an order of San Miguel District Court. However, pursuant to the District's plan for dissolution and Colorado statutes, the District continues in existence to such extent as is necessary to adequately provide for payment of its financial obligations and outstanding bonds. The Town of Mountain Village has accepted the transfer of the District's assets and assumed operation of the District's facilities. The Town Council acts as the board of directors for the District as dissolved.

Please let me know if further explanation is needed.

Regards, David

From: Mike Claffey [<mailto:mclaffey@acsol.net>]
Sent: Thursday, April 09, 2015 8:35 AM
To: Kim Montgomery; David Reed
Subject: Fwd: Lot 1003 Title Conveyance for SPK-2014-1067

See below from Wendy Silver , EPA attorney

Michael Claffey

Begin forwarded message:

From: "Sheata, Carrie A" <Carrie.A.Sheata@usace.army.mil>
Date: April 9, 2015 at 7:55:40 AM MDT
To: Mike Claffey <mclaffey@acsol.net>
Subject: FW: Lot 1003 Title Conveyance for SPK-2014-1067

Mike,

Please provide the information Ms. Silver is requesting below.

"The information from Mike does not show the relation of Mountain Village Metropolitan District to those entities covered by the CD and management plan (i.e., whether they are business entities, affiliates, etc.). We'll need this information from before we can determine whether lot 1003 is subject to the management plan."

Carrie Sheata
Project Manager
Colorado West Regulatory Branch
Regulatory Division
U.S. Army Corps of Engineers
400 Rood Avenue, Room 224, Grand Junction, Colorado 81501
PH: (970) 243-1199, extension 14; FAX: (970) 241-2358
Carrie.A.Sheata@usace.army.mil

Customer service business hours are 9:00 a.m. to 3:00 p.m., Monday through Friday

Information on the Regulatory Program.
web: Sacramento District Regulatory Program

Let us know how we're doing.
http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

-----Original Message-----

From: Silver, Wendy [<mailto:Silver.Wendy@epa.gov>]
Sent: Wednesday, April 01, 2015 8:39 AM
To: Sheata, Carrie A; Fowler, Sarah
Cc: Nall, Susan SPK
Subject: [EXTERNAL] Re: Lot 1003 Title Conveyance for SPK-2014-1067

Carrie:

The information that Mike provided indicates that the property was deeded in 1991 from the Telluride Company to Telluride Mountain Village Resort Company, and then from Telluride Mountain Village Resort Company to Mountain Village Metropolitan District in 1992 for \$10. As our letter noted, the Management Plan is applicable to Telluride Ski and Golf Company, The Telluride Company, Mountain Village, Inc. (dba Telluride Mountain Village, Inc.), and their business entities, affiliates, contractors, subcontractors, employees, servants, and agents.

The information from Mike does not show the relation of Mountain Village Metropolitan District to those entities covered by the CD and management plan (i.e., whether they are business entities, affiliates, etc.). We'll need this information from before we can determine whether lot 1003 is subject to the management plan.

Wendy

From: Sheata, Carrie A <Carrie.A.Sheata@usace.army.mil>
Sent: Tuesday, March 31, 2015 7:42 AM

To: Silver, Wendy; Fowler, Sarah
Cc: Nall, Susan SPK
Subject: Lot 1003 Title Conveyance for SPK-2014-1067

Wendy and Sarah,

Mike Claffey provided us this information regarding the title history. Please advise if this parcel is subject to Wetland Management Plan.

Carrie Sheata
Project Manager
Colorado West Regulatory Branch
Regulatory Division
U.S. Army Corps of Engineers
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Carrie.A.Sheata@usace.army.mil

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Let us know how we're doing.
http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

-----Original Message-----

From: Mike Claffey [<mailto:mclaffey@acsol.net>]
Sent: Monday, March 30, 2015 1:56 PM
To: Sheata, Carrie A; Nall, Susan SPK
Subject: [EXTERNAL] Fwd: Lot 1003 Conveyance

On wetlands management plan

Michael Claffey

Begin forwarded message:

From: "Jim Mahoney" <jmahoney@jdreedlaw.com>
Date: March 30, 2015 at 12:35:46 PM MDT
To: <mclaffey@acsol.net>, "Kim Montgomery" <KMontgomery@mtnvillage.org>, "David Reed" <jdreed@jdreedlaw.com>
Subject: Lot 1003 Conveyance

Mike, David Reed asked me to send along the following information regarding the ownership of lot 1003 and the implications related to the wetlands management plan.

The Telluride Company conveyed Lot 1003, to TMVOA (they were previously called Telluride Resort Mountain Village Resort Company) in 1991.

The Wetlands Management Plan was not entered into until October of 1996; therefore, the Wetlands Management Plan does not apply to lot 1003.

I have attached the chain of title that shows that conveyance in 1991 and subsequent transfers for your information.

Thanks,

Jim

James Mahoney

J. David Reed, P.C.

PO Box 196

Montrose, CO 81402

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(970) 249-9661 (fax)

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